

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KRISTINA TRAVIS, individually and	:	
on behalf of all others similarly situated,	:	CIVIL ACTION
	:	
v.	:	NO. 21-5395
	:	
STATE AUTO MUTUAL INSURANCE	:	
COMPANY, INC., d/b/a State Auto Insurance	:	
Companies, <i>et al.</i>	:	

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of February, 2023, upon review of Defendants' Motion to Dismiss, as well as Plaintiff's response and Defendants' reply thereto, and after argument being held, it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss (Docket No. 19) is **GRANTED** in part and **DENIED** in part;
2. Defendants' Motion is **GRANTED** as to Counts I, II, IV, VI, VII and VIII and those Counts are **DISMISSED** from the Amended Complaint with prejudice;
3. Defendants' Motion is **DENIED** as to Counts III and V of the Amended Complaint;
4. Defendants shall file an Answer to the remaining counts of the Amended Complaint within twenty (20) days of the date of this order;
5. The parties shall immediately commence discovery;
6. A telephonic pretrial Rule 16 conference shall be held on April 4, 2023 at 11:00 a.m. Counsel shall use dial in number 888-204-5984 and access code 3221457;
7. After consultation with counsel for all parties, counsel shall complete and submit the required Joint Status Report pursuant to Rule 26(f); and

8. Counsel shall follow Judge Schmehl's Policies and Procedures which can be found at [www.paed.uscourts.gov](http://www.paed.uscourts.gov).

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
Jeffrey L. Schmehl, J.